

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

BRIAN ROGERS,

Plaintiff

v.

RCL

MORAN TOWING & TRANSPORTATION CO., INC.,

Defendant

CIVIL ACTION NO. 04-11448-

**AFFIDAVIT OF PETER KEYES**

Peter R. Keyes deposes and says as follows under the penalties of perjury:

1. I am Vice President of New York & Offshore Operations for Moran Towing Corporation ("Moran").

2. As Vice President for Operations, I am involved with all aspects of operating Moran's vessels, including crewing of those vessels. Moran maintains records of each occasion upon which each crewmember begins and ends each tour of duty on board one of our vessels.

3. I have reviewed those records pertaining to the occasions upon which Brian Rogers joined and got off the Moran vessel upon which he served as a crewmember (the tug JAMES TURECAMO) from the date upon which he was hired by Moran, December 13, 2002, until he got off that vessel for the final time, July 25, 2003. Those records show that Mr. Rogers joined and got off Moran's vessel on the following dates at the following locations:

December 13, 2002    Joined at Moran's yard in Staten Island, New York

December 25, 2002	Got off in Boston
January 8, 2003	Joined at Moran's yard in Staten Island, New York
January 22, 2003	Got off in Providence
February 5, 2003	Joined at Moran's yard in Staten Island, New York
February 12, 2003	Got off in Staten Island, New York, following first alleged injury
April 2, 2003	Joined at Moran's yard in Staten Island, New York
April 16, 2003	Got off in Philadelphia
April 30, 2003	Joined in Philadelphia
May 14, 2003	Got off in Baltimore
May 28, 2003	Joined in Richmond
June 11, 2003	Got off in Staten Island, New York
June 25, 2003	Joined at Moran's yard in Staten Island, New York
July 9, 2003	Got off in Staten Island, New York
July 23, 2003	Joined at Moran's yard in Staten Island, New York
July 25, 2003	Got off in Staten Island, New York, following second alleged

injury

**I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.**

**EXECUTED ON THIS 13TH DAY OF MAY 2005.**



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Peter R. Keyes, Vice President  
New York & Offshore Operations